



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Fifteenth session

SUMMARY RECORD OF THE 286th MEETING

Held at Headquarters, New York,
on Monday, 15 January 1996, at 3 p.m.

Chairperson: Ms. CORTI

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The meeting was called to order at 3.25 p.m.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW/C/1996/3 and Add.1-4)

1. Ms. TIMOTHY (Deputy Director, Division for the Advancement of Women) said that, under that item, the Committee would consider the reports of the World Health Organization (WHO), the International Labour Organization (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Food and Agriculture Organization of the United Nations (FAO) (CEDAW/C/1996/3/Add.1-4), submitted in accordance with article 22 of the Convention. The Committee would also consider specific articles of the Convention with a view to formulating recommendations thereon, as had been agreed at the Committee's tenth session. The Committee had before it the report of the Secretariat on the analysis of articles 7 and 8 of the Convention (CEDAW/C/1994/4), consideration of which had been postponed from the fourteenth session. In it, the Secretariat had supplied further information on the participation of women in elections, parliaments, Governments and other legislative and executive bodies as well as in policy formulation at the national and international levels. The report also contained information on women in the military.

2. In its conclusions, the Secretariat was proposing that concrete measures, such as affirmative action and quota systems, and indirect measures, such as measures to eliminate sex- and job-related stereotypes, could be taken to redress both de jure and de facto discrimination. The periodic reports to the Committee should focus more on measures taken and concrete results achieved in that area.

3. With respect to article 2 of the Convention, she drew attention to document CEDAW/C/1995/4, which contained information on country experience and the Committee's own suggestions to States parties in that regard. In preparing its general recommendation on article 2, the Committee might wish to provide guidance to States parties on what it considered to be the obligations of States parties under article 2.

WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN (CEDAW/C/1996/6)

4. Ms. TIMOTHY (Deputy Director, Division for the Advancement of Women), drew attention to the report on ways and means of expediting the work of the Committee (CEDAW/C/1996/6), particularly section II concerning the review of the rules of procedure, and section III concerning the review of the need for summary records and the format of the annual report of the Committee. The Secretariat strongly urged the Committee to retain summary records and had recommended that extensive summaries of the discussions of States parties' reports should no longer be included in the Committee's report. The concluding comments should be expanded instead to provide the salient points of the discussion. That would reduce the overall length of the report and the cost of

translation. It would also enable the Secretariat to service the Committee in a more efficient manner.

5. Ms. SCHÖPP-SCHILLING (Rapporteur) supported the Secretariat's recommendations, and noted that the Secretariat would continue to prepare summaries of Governments' introductions of their reports for inclusion in the Committee's final report. As in previous years, the concluding comments on each report would include a short introduction describing the quality of the report as a whole, a section on the positive aspects of the report and a section on areas of concern. The Secretariat could prepare a first draft of suggestions and recommendations for future reports based on the experts' comments.

6. The Secretariat should draft its concluding comments as soon as the Committee completed its consideration of the report in question and pass them on to the two experts and the Rapporteur, who should work together as a team if at all possible.

7. The Committee's concluding comments, reports of working groups and summaries of Governments' introductions of their reports would be included in the Committee's final report, which would be shorter than in previous years. Concluding comments would be sent to Governments as soon as they were adopted. That procedure was being followed by the other treaty bodies.

8. The CHAIRPERSON said that she would take it that the Committee wished to adopt the new procedure for preparing the Committee's report.

9. It was so decided.

RESULTS OF THE FOURTH WORLD CONFERENCE ON WOMEN

10. The CHAIRPERSON said that the Beijing Conference had underlined a new way of looking at the status of women from the women's human rights perspective. The Committee, as the treaty body with responsibility for monitoring the human rights of women, must determine its role vis-à-vis the Beijing Platform for Action. The Commission on the Status of Women had an important role to play in seeing that Governments which had made commitments at Beijing actually fulfilled them, but since it was an intergovernmental body, naturally, it must defend government policies. The Committee stood out as the only independent voice to push for the fulfilment of such commitments.

11. Ms. ABAKA agreed that it would be difficult for Governments, which had responsibility for implementing the Platform for Action, to monitor it as well. The Committee's independence gave it an important voice in the area of women's human rights. It should amend its reporting guidelines to ask States parties to provide information on how they were implementing the Beijing Platform for Action.

12. Ms. BUSTELO GARCIA DEL REAL said that paragraphs 322 and 323 of the Beijing Platform for Action made it clear that the Committee had been entrusted with monitoring its implementation. The Platform for Action was actually a tool for advancing the interpretation and implementation of the Convention.

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13. Ms. AYKOR said that, as independent experts serving in their personal capacities, Committee members as individuals could not follow up with Governments. They could, however, gather information on implementation through questions to States parties during the presentation of their reports. Information on fulfilment of government commitments could be included in the concluding remarks on each report.

14. Ms. SHALEV said that the Committee should be careful not to exceed its legal authority under the Convention. The Platform for Action included many points that could not be legally required. She would welcome an analysis of the Platform for Action, distinguishing those points which represented legal obligations from those which were political commitments.

15. Concerning reporting obligations, in view of the backlog of reports, she wondered when the Committee would begin asking States parties to include information on the implementation of the Beijing Platform in their reports and whether those which had already submitted a report would be expected to provide such information in a supplement.

16. Ms. SCHÖPP-SCHILLING said that the Committee secretariat could organize the paragraphs of the Platform for Action according to the articles of the Convention. In her view, the Platform for Action was an elaboration of the Convention; in many cases, it simply restated questions the Committee often asked of States parties.

17. She proposed that the Committee should begin requesting information about implementation of the Platform for Action in reports of States parties drafted after September 1996.

18. Ms. MÄKINEN said that an analysis of the Platform for Action would be a perfect tool for the Committee's work.

19. Ms. BERNARD said that she, too, felt that the Committee should proceed with caution. The Platform for Action was a very broad document, and it was not clear to her that the Committee had the legal right to ask countries to report on its implementation.

20. Ms. AOUIJ said that, in her view, the Committee did have such a legal mandate, based on the Platform for Action, the Vienna Declaration on Human Rights and the Convention itself. It would be helpful if the Secretariat could provide members with a summary of the final declarations made at Beijing by States parties and a list of their reservations and interpretive declarations. Enhanced coordination with other bodies responsible for follow-up to the recent series of international meetings and contacts with specialized agencies would also be extremely useful.

21. Ms. SINEGIORGIS said that the Committee's mandate for monitoring the implementation of the Platform for Action derived from paragraphs 322 and 323 of the Platform for Action. Moreover, it appeared that the Conference had taken it for granted that the Committee would monitor the implementation, since paragraph 324 requested that the Committee's ability to do so should be strengthened. She supported the proposal to amend the reporting guidelines;

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those States whose report had been submitted before the Beijing Conference could be asked to provide a supplement.

22. Ms. GARCIA-PRINCE said that it was the Committee's task to monitor the situation of women in the world. If it was necessary to change the legal basis of CEDAW in order to carry out that role, that should be done. Inter-agency coordination with regard to questions relating to women was not effective. The Division for the Advancement of Women had rather limited functions and the Commission on the Status of Women was a political body. CEDAW was the only body within the United Nations system that could request information from States on steps taken to promote the advancement of women. She proposed that the Chairperson should contact Ms. Rosario Green, the Assistant Secretary-General designated to assist the Secretary-General in the system-wide follow-up to the Fourth World Conference on Women in order to inform her about the Committee's concerns in that regard. In that way, it would be possible to avoid duplication and ensure effective coordination of activities.

23. The Division for the Advancement of Women should take steps to ensure that the provisions of paragraph 231 (g) of the Platform for Action were implemented and that new links between the Commission on the Status of Women, CEDAW and other bodies were established in accordance with the Platform. The Division should draw up a list of the actions laid down in the Platform which could be considered by the Committee. The Platform should be a point of reference for CEDAW in drawing up guidelines for monitoring the implementation of the Convention. Lastly, a small working group could be set up to determine the linkages between the Committee, the Commission on the Status of Women and the Assistant Secretary-General.

24. The CHAIRPERSON said that the proposal to contact the Assistant Secretary-General was an excellent one and that that would be done at the appropriate time.

25. Ms. OUEDRAOGO said that there was no dichotomy between the Convention and the Platform for Action since both documents dealt with such major fields as education, health and employment. The difference lay in the fact that the Convention was a political and moral document, while the Platform for Action was strategic in nature. CEDAW was mandated to monitor the implementation of the Platform through the consideration of the reports submitted by States parties.

26. Ms. SCHÖPP-SCHILLING said that paragraph 323 of the Platform for Action clearly mandated the Committee to monitor the implementation of the Platform by States parties. A distinction would naturally have to be made between reports that were drawn up before the Beijing Conference and those drawn up afterwards. In discussing reports submitted prior to the Conference, the Committee could still ask Governments to include in their oral statements information on steps taken to implement the Platform and on any reservations expressed. In considering reports written after the Conference, the Committee could be more insistent in requesting specific information on fulfilment of the commitments undertaken by States parties at the Conference.

27. While the Platform could be considered a yardstick to be used in monitoring the follow-up to the Conference, there were many other much more progressive

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ideas on which consensus had not been reached. It was therefore necessary to look beyond the Platform and strive to reach consensus on those other issues. It would be useful to have input from the Division for the Advancement of Women, non-governmental organizations and the legal experts that assisted the Committee on how the Platform related to the Convention from a legal point of view. Lastly, the Division could organize the text of the Platform for Action in such a way as to facilitate its use by the experts on the Committee.

28. Ms. DE CORREA said that the Committee was the only body that was specifically mandated to monitor implementation of the Platform for Action. Accordingly, it should lay down guidelines on information to be provided by States parties on measures taken in that regard.

29. Ms. BERNARD said that in accordance with paragraph 323 of the Platform for Action, the Committee could act within its mandate in considering critical areas of concern and ask States parties to report on measures taken in that connection.

30. Ms. SINEGIORGIS requested further information on what the Secretary-General expected from the Committee in monitoring the follow-up to the Beijing Conference.

31. Ms. TIMOTHY (Deputy Director, Division for the Advancement of Women) said that it should be clearly understood that the Commission on the Status of Women was the primary body engaged in the task of monitoring the implementation of the Platform for Action by all Member States and the international community in general. At its March session, the Commission would consider the preparation of a work programme for the follow-up to the Beijing Conference and ways to monitor implementation of the Platform. While the Committee could also monitor the implementation of the Platform within its mandate, its role was more limited since not all Member States were parties to the Convention. The Secretary-General felt that it would be useful for the Committee to discuss how it viewed that task in terms of its mandate. A number of interesting suggestions had been made in that regard. Careful note had been taken of the suggestion to draw up a guide linking the Platform to the Convention.

32. Whereas the Commission considered reports summarizing responses by Governments and international organizations, the Committee had the opportunity to question States parties directly on their implementation of the Platform and make recommendations in that regard. The Platform for Action in many respects reflected the work of the Committee and the Convention itself. Lastly, she noted with interest the comments made concerning the Committee's workload and its desire to continue to meet its commitments as a treaty body and at the same time monitor implementation of the Platform by States parties.

33. Ms. SHALEV said that the Platform for Action clearly indicated that the Commission on the Status of Women had a central role in monitoring the implementation of the Platform and that the Committee monitored the implementation of the Convention, not the overall implementation of the Platform. The Committee would receive information from States parties on the implementation of the Platform to facilitate its monitoring of their implementation of the Convention. The Committee's identity as a human rights

treaty body must be maintained. It was essential therefore to have an analysis of the Platform for Action indicating to what extent it was linked to the Convention and to what extent commitments undertaken under the Platform related to the implementation of the Convention.

34. Ms. SINEGIORGIS proposed that the Secretary should provide the Committee with a summary of all the various suggestions put forward at that meeting before a decision was taken on the matter.

35. The CHAIRPERSON said that the proposal by Ms. Sinegiorgis was a good one and that such a summary would be provided before a decision was taken. The suggestion to draw up an analysis of the links between the Platform for Action and the Convention was most important in view of the length of the Platform. When she had referred earlier to the monitoring role of the Committee she had done so within the context of the mandate of CEDAW. The Convention was a legal document which promoted deep social, economic and cultural change. There was no intention to infringe on the mandates of other bodies. Nevertheless, CEDAW should stress its own importance and specific role in terms of the Platform.

The meeting rose at 6 p.m.